

AMENDED IN SENATE JUNE 24, 2013

AMENDED IN ASSEMBLY MAY 24, 2013

AMENDED IN ASSEMBLY APRIL 23, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 513

**Introduced by Assembly Member Frazier
(Principal coauthors: Assembly Members Chesbro and Gordon)
(Coauthors: Assembly Members Ammiano, Garcia, Skinner, and
Stone)**

February 20, 2013

An act to add *and repeal* Section 42872.1 ~~to~~ of the Public Resources Code, relating to tire recycling, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 513, as amended, Frazier. Tire recycling program: rubberized asphalt.

The California Tire Recycling Act requires a person who purchases a new tire to pay a California tire fee, for deposit in the California Tire Recycling Management Fund, for expenditure by the Department of Resources Recycling and Recovery, upon appropriation by the Legislature, to pay the costs of operating the tire recycling program. The act provides that the tire recycling program may include the awarding of grants, loans, subsidies, and rebates and the payment of incentives for various purposes related to reducing landfill disposal of used whole tires and tire recycling. *Existing law requires the moneys in the fund, except as specified, to be appropriated to the department in the annual Budget Act in a manner consistent with the department's 5-year plan.*

This bill would establish the Rubberized Asphalt Concrete Market Development Act and would require the department, in accordance with the tire recycling program, to award grants for certain public agency projects that utilize rubberized asphalt concrete. ~~The bill, on January 1, 2014, and January 1 of each year thereafter, would require the Controller to transfer \$10,000,000 from the moneys authorized to be expended for the tire recycling program to the department to award these grants, thereby making an appropriation. The bill, however, would require the Controller to transfer only \$5,000,000 from the moneys authorized to be expended for the tire recycling program to the department to award these grants for any year that the Department of Finance determines that the balance of the fund equals \$10,000,000 or less. The bill would require the grants to pay \$2 for every 12 pounds of crumb rubber used in a paving project by a public agency. The bill would specify selection procedures if the grant requests exceed the moneys appropriated.~~

The bill would require the department to award these grants in the amount of \$2 for every 12 pounds of crumb rubber used in a public works or disability access project.

The bill would, in addition to the expenditures authorized by existing law, annually appropriate \$10,000,000, commencing with the 2014 calendar year, to the department from the fees deposited in the fund, to award those grants. The bill would repeal the act on January 1, 2020.

Vote: majority. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 42872.1 is added to the Public Resources
- 2 Code, to read:
- 3 42872.1. (a) This section shall be known, and may be cited,
- 4 as the Rubberized Asphalt Concrete Market Development Act.
- 5 (b) In accordance with the tire recycling program authorized by
- 6 Section 42872, the department shall award grants in the following
- 7 manner:
- 8 (1) To cities, counties, and other local governmental agencies
- 9 for the funding of public works projects that utilize rubberized
- 10 asphalt concrete.
- 11 (2) To state and local governmental agencies, including regional
- 12 park districts, for the funding of disability access projects at parks

1 and Class I bikeways as defined in subdivision (a) of Section 890.4,
2 relative to projects that utilize rubberized asphalt concrete.

3 ~~(e) On January 1, 2014, and January 1 of each year thereafter,~~
4 ~~the Controller shall transfer ten million dollars (\$10,000,000) from~~
5 ~~the moneys authorized to be expended for the tire recycling~~
6 ~~program, as specified in Section 42889, to the department to award~~
7 ~~grants pursuant to subdivision (b), except as provided in~~
8 ~~subdivision (f).~~

9 ~~(d) A grant offered pursuant to subdivision (b) shall pay two~~
10 ~~dollars (\$2) for every 12 pounds of crumb rubber used in a paving~~
11 ~~project by a state or local governmental agency or a regional park~~
12 ~~district.~~

13 ~~(e) If the requests for grants under the program established~~
14 ~~pursuant to subdivision (b) exceed the moneys appropriated~~
15 ~~pursuant to subdivision (c), the department shall select randomly~~
16 ~~from all eligible applicants.~~

17 ~~(f) (1) Notwithstanding subdivision (c), the Controller shall~~
18 ~~transfer only five million dollars (\$5,000,000) from the moneys~~
19 ~~authorized to be expended for the tire recycling program, as~~
20 ~~specified in Section 42889, to the department to award grants~~
21 ~~pursuant to subdivision (b) for any year that the Department of~~
22 ~~Finance determines that the balance of the fund as of January 1~~
23 ~~equals ten million dollars (\$10,000,000) or less.~~

24 ~~(2) Of the moneys transferred pursuant to paragraph (1), the~~
25 ~~department shall disapprove applications for grants submitted~~
26 ~~pursuant to subdivision (b) if there are insufficient moneys in the~~
27 ~~fund.~~

28 *(c) The department shall award the grants pursuant to*
29 *subdivision (b) in the amount of two dollars (\$2) for every 12*
30 *pounds of crumb rubber used in a public works or disability access*
31 *project by a state or local governmental agency, including a*
32 *regional park district.*

33 *(d) In addition to the expenditures authorized pursuant to*
34 *Section 42885.5, the sum of ten million dollars (\$10,000,000) is*
35 *hereby appropriated annually, commencing with the 2014 calendar*
36 *year, to the department from the fees deposited in the California*
37 *Tire Recycling Management Fund pursuant to Section 42885, to*
38 *award rubberized asphalt concrete grants pursuant to this section.*

- 1 (e) *This section shall remain in effect only until January 1, 2020,*
- 2 *and as of that date is repealed, unless a later enacted statute, that*
- 3 *is enacted before January 1, 2020, deletes or extends that date.*